

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

UNITED STATES OF AMERICA)	
)	Case Nos. 4:04-cr-7
vs.)	
)	
KENDALL PENTACOST)	JUDGE EDGAR

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on August 3, 2010, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for Offender Under Supervision of U.S. Probation Officer Doug Corn and the Warrant for Arrest issued by U.S. District Judge R. Allan Edger. Those present for the hearing included:

- (1) AUSA Perry Piper for the USA.
- (2) The defendant KENDALL PENTACOST.
- (3) Attorney Charles Dupree for defendant.
- (4) Deputy Clerk Kelli Jones.

After being sworn in due form of law the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Charles Dupree was appointed to represent the defendant. It was determined the defendant had been provided with a copy of the Petition for Warrant for Offender Under Supervision and the Warrant for Arrest and had the opportunity of reviewing those documents with Atty. LaLumia. It was also determined the defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

Defendant waived his right to a preliminary hearing and detention hearing.

AUSA Piper moved defendant be detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier.

Findings

- (1) Based upon U.S. Probation Officer Doug Corn's petition and defendant's waiver of preliminary hearing and detention hearing, the undersigned finds there is probable

cause to believe defendant has committed violations of his conditions of supervised release as alleged in the petition.

Conclusions

It is ORDERED:

(1) The defendant, KENDALL PENTACOST, shall appear in a revocation hearing before U.S. District Judge Curtis L. Collier.

(2) The motion of AUSA Piper that defendant be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is GRANTED.

(3) The U.S. Marshal shall transport KENDALL PENTACOST to a revocation hearing before Judge Collier on **Thursday, August 19, 2010, at 9:00 am.**

ENTER.

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE